

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Pastor Benjamin A. Johnson, Dr. Ronald A. Lundein, and Pastor Arthur F. Haimerl, on behalf of themselves and all others similarly situated,

Plaintiffs,

v.

Board of Pensions of the Evangelical Lutheran Church in America,

Defendant.

Court File No. 11-cv-00023 (MJD/LIB)

**DECLARATION OF VINCENT J.
ESADES IN SUPPORT OF PASTOR
BENJAMIN A. JOHNSON'S
MOTION FOR SUMMARY
JUDGMENT**

I, Vincent J. Esades, declare as follows based on my personal knowledge:

I am a member of the law firm of Heins Mills & Olson, P.L.C., Plaintiffs' Interim Co-Lead and Liaison Counsel in this action. I submit this declaration in support of Pastor Benjamin A. Johnson's Motion for Summary Judgment.

1. Attached hereto as Exhibit A is a copy of the Board of Pensions of the Evangelical Lutheran Church in America's Response to Plaintiffs' First Set of Interrogatories, Response No. 5.
2. Attached hereto as Exhibit B is a copy of the Board of Pensions of the Evangelical Lutheran Church in America's 2009 Annual Report (DEF00009846-9893).
3. Attached hereto as Exhibit C is a copy of the Board of Pensions of the Evangelical Lutheran Church in America's 1996 Plan Document - ELCA Regular Pension Plan (DEF00004837-4878).

4. Attached hereto as Exhibit D is a copy of excerpts from the transcript of the deposition of David Adams, Dec. 7, 2012.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of June, 2013, in Minneapolis, Minnesota.

s/ *Vincent J. Esades*
Vincent J. Esades